

REMARKS

Claims 1-10 are all the claims pending in the application. Claims 2, 4, 6, 8, and 10 are withdrawn in accordance with the July 29, 2004 Response to Election of Species. Applicants thank the Examiner for acknowledging Applicants' claim for foreign priority and receipt of the certified priority document. Applicants kindly request that the Examiner indicate acceptance of the drawings in the next Office Action.

Claim Rejections - 35 U.S.C § 112

The Examiner rejected claims 1, 3, 5, 7, and 9 under 35 U.S.C. § 112, second paragraph, as being indefinite. Specifically, the Examiner indicates that he is unclear of the location of the magnetic assembly on the claw pole, and its center of gravity. In view of the Examiner's concerns, Applicants have amended the claims to more clearly define the location of the center of gravity of the magnet assembly. Applicants have also defined the shape of the magnetic assembly.

The Examiner also cited inconsistencies in use of the claim term "magnetic holding member" and magnetic holding members." Applicants' claim amendments are thought to overcome this rejection.

Claim Rejections - 35 USC § 102

Claims 1, 3, 5, 7 and 9 stand rejected under 35 U.S.C. § 102(b) as being fully anticipated by York et al. (U.S. Patent No. 6,426,581) (hereinafter "York"). Applicants respectfully traverse this rejection.

Applicants submit that one of the inventive features of the present invention is the placement of the magnet assembly with respect to the claw magnetic pole. Indeed, claim 1 recites “wherein the magnet assembly is arranged on both sides of said respective claw magnetic pole . . . such that said magnet assembly’s center of gravity is located on the base part side nearer than the axial center of the axial length of said respective claw magnetic pole.”

The Examiner states that this feature is shown in York at Figures 2-4. York discloses a rotor/alternator, and a magnet retainer ring that allows magnets to be placed on the claw magnetic poles. The Examiner alleges that in the York rotor, the magnet assembly is configured to be shorter than the axial length of the claw poles and is located on the base part of the pole core. Therefore, the Examiner contends that the center of gravity of the magnet assembly would inherently be located on the base part side nearer than on the axial center length of said claw magnetic poles and/or nearer than the center of gravity of the claw poles.

Applicants respectfully traverse this argument. First, as shown in Figure 4 of York, the magnets 38 are closer to the end of the claw magnetic pole than to the base. Thus, quite opposite from the Examiner’s assertions, the York Figures provide no disclosure or suggestion of the location of the center of gravity of the magnetic assembly. Further, the magnet assembly as recited in claim 1 includes a magnet holding member. In York, the magnets are retained on the claw magnetic poles by a magnet retainer ring 30 which is a one piece molded plastic body with an annular inner ring having staggered pockets for holding the magnets (see col. 4, lines 12-19). The Examiner cites retainer ring 30 as the magnet holding member. As shown in Figure 3, and described at col. 3, lines 37-44 of York, the magnet retainer ring is coaxially mounted about shaft 26, and surrounds the coil. This placement, along with the configuration of the magnet assembly

and magnet provides no suggestion of a center of gravity for the assembly. As such, Applicants submit that claims 1, 3, 5, 7, and 9 distinguish from York. In addition, Applicants have further defined in claim 1 that the magnet assembly is trapezoidal plate-shaped, which shape also distinguishes from York.

Further, with the aforementioned description of the magnet assembly of York including retainer ring 30, there would be no joining of magnetic assemblies on the backside of the pole as recited in claim 7. As shown in Figure 3 of York, the magnets are staggered (col. 4, line 15), and there is only one assembly. As such, claim 7 is allowable for this reason as well.

Double Patenting

Claims 1, 3 and 5 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 16 of U.S. Patent No. 6,201,335 (Higashino et al.). Claims 7 and 9 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 16 of Higashino et al. and in view of York et al. Applicants submit that the claims of the present application are not obvious variations of the invention claimed in the '335 patent. For example, claim 1 of the present application recites a trapezoidal plate-shaped magnet assembly which is shaped by thickness to affect the magnetic center of gravity. This is not suggested by the claims of the '335 patent. Claims 3, 5, 7, and 9 are dependent on claim 1 and allowable at least for this reason. Further, claim 7 is not obvious for the reasons discussed above.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

AMENDMENT UNDER 37 C.F.R. §1.111
U.S. Application No. 10/663,775

Attorney Docket No. Q77539

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Ronald Kimble
Registration No. 44,186

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: December 7, 2004